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PATENT  
Attorney Docket 056100-5039

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Wolf B. Frommer et al.** ) Confirmation No. **4393**  
Application No. **09/913,767** ) Group Art Unit: **1638**  
Filed: **January 10, 2002** ) Examiner: **Ibrahim, M.A.**  
For: **Nucleic Acids that Code for a Nucleobase** ) Date: **July 12, 2006**  
**Transporter** )

U.S. Patent and Trademark Office  
Customer Service Window, **Mail Stop AF**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

TRANSMITTAL FORM

- Transmitted herewith is a Notice of Appeal further in response to the final Office Action dated January 12, 2006.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for an additional one-month extension of time further extending the period for response from June 12, 2006 to July 12, 2006, the fee for which is **\$285.00** as set out in 37 C.F.R. 1.17(a). If Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	27	minus	34	0	\$50 each=	\$0.00
Independent Claims	2	minus	14	0	\$200 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
Sub-total =						\$0.00
Reduction by 1/2 for filing by a small entity						\$0.00
Total Fee =						\$0.00

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4. Fee Payment: The Commissioner is hereby authorized to charge **\$535.00** to Deposit Account No. 50-0310 for payment of the additional one-month extension of time fee (\$285.00) and the Notice of Appeal Fee (\$250.00), both fees at the small entity rate.
5. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **July 12, 2006**  
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202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

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